

520.43063X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. NOJIMA Confirmation No.: 5549
Serial No.: 10/649,635
Filed: August 28, 2003
For: STORAGE OPERATION MANAGEMENT SYSTEM
Group: 2168
Examiner: G. Robinson

**REPLY UNDER 37 CFR 1.116 AND
CONDITIONAL REQUEST FOR NEW NON-FINAL OFFICE ACTION**

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 22, 2008

Sir:

A Final Rejection was mailed May 20, 2008, to which the Applicant responded in the Reply dated August 20, 2008. In response to the Reply, the Examiner issued an Advisory Action dated August 29, 2008, denying entry of the amendments contained in the Reply and citing new objections to claims 22 and 24, outlined below. In response to the Advisory Action and to a telephone conference between the Examiner and the Applicants' representative, the Applicants request withdrawal of the finality of the Office Action and issuance of a new Office Action directed to the matters set forth in the Advisory Action.

Further, the Applicants request entry of the amendments set forth below:

Amendments to the Claims begin on page 2.

Remarks are included following the amendments.